

REMARKS

Claims 10-11 and 13-20 are pending in this application.

The Office action rejects claims 10-11 under 35 U.S.C. 103(a) over Kim (USP 5,963,856), Sakashita et al. (USP 4,939,789, hereinafter Sakashita), and Enoki (JP 0729779). The applicants respectfully traverse this rejection.

The Examiner's attention is requested to MPEP 2142, wherein it is stated:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Claim 10, upon which claim 11 depends, claims a receiver for a digital signal, the receiver comprising a decoder that is configured to determine a digital figure of merit from a processed signal and a controller that is configured to adjust a center frequency of at least one of the one or more filters in dependence on the digital figure of merit.

Neither Kim, nor Sakashita, nor Enoki teaches adjusting a center frequency of a filter based on a digital figure of merit from a processed signal.

The Office action asserts that "Kim would obviously, if not implicitly, teach a frequency deviation error or a BER ... is measured, and then converted to the control signal in order to tune the filters and the synthesizer of the receiver to the frequency of the received signal, in a similar way as disclosed by Enoki". The applicants respectfully disagree with this assertion.

Kim specifically teaches that a conventional AFC loop is used to control the frequency of the local oscillator:

"In conventional scheme, an Automatic Frequency Control (AFC) loop (not shown) in receiver 213 senses the correct frequency and the local oscillator frequency is adjusted accordingly by the frequency synthesizer 207 (LO1). The AFC generates the control signal 201 to control the frequency band selection of both the tunable duplexer 204 and the local oscillator frequency selection of frequency synthesizer 207." (Kim, column 4, lines 19-26)

Because Kim specifically teaches that a conventional AFC loop is used to control the frequency of the local oscillator, and not a figure of merit from the processed signal, an assertion that "Kim would obviously, if not implicitly," teach the applicants claimed invention is baseless and unsupportable. As such, the applicants respectfully maintain that the rejection of claims 10 and 11 under 35 U.S.C. 103(a) over Kim, Sakashita, and Enoki is unfounded, per MPEP 2142.

The Office action rejects claims 13-20 under 35 U.S.C. 103(a) over Kim, Liebetreu et al. (USP 5,721,756, hereinafter Liebetreu), and Enoki.

Claim 13, upon which claims 14-20 depend, claims a method that includes filtering an RF input signal via one or more RF filters, mixing the filtered RF signal with an oscillator signal to provide an IF signal, demodulating the IF signal to provide a digital output signal and a figure of merit associated with the digital output signal, and adjusting at least one filter of the one or more RF filters based on the figure of merit.

Neither Kim, Liebetreu, nor Enoki teaches adjusting an RF filter based on a figure of merit of a processed signal.

As noted above, Kim specifically teaches using a conventional AFC to control the frequency of the local oscillator and to control the RF frequency band selection. Kim does not teach using a figure of merit of the processed signal to control one or more RF filters, as specifically claimed.

In this rejection, the Office action repeats the assertion that "Kim would obviously, if not implicitly," teach the applicants' claimed invention, yet, as noted above, this "obvious if not implicit" teaching is contrary to Kim's explicit teaching of using a conventional AFC loop to control the RF frequency band selection.

Because Kim, Liebetreu, and Enoki fail to teach adjusting an RF filter based on a figure of merit of a processed signal, as specifically claimed by the applicants, and because Kim specifically teaches adjusting an RF filter based on a conventional AFC loop, the applicants respectfully maintain that the rejection of claims 13-20 under 35 U.S.C. 103(a) over Kim, Liebetreu, and Enoki.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted



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